

Applicant : Chester F. Grochoski
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I. Non-Art Issues

A. Section 112 Rejection

As originally presented, claims 1-26 were rejected under 35 U.S.C. 112, second paragraph. It is respectfully submitted that the amended claims overcome this rejection. While Applicant disagrees with the assertion that the word "secured" is vague and indefinite, Applicant has amended "secured" to "attached" throughout the claims because the two words are equivalent within the context of the present application.

B. Formal Drawings

Enclosed are two sheets of formal drawings to be substituted for the two sheets of informal drawings used in filing. The Examiner's approval of the enclosed drawings is respectfully requested.

II. Invention Summary

The present invention is directed to a reflective insulative blanket for use in construction applications, particularly in the curing of concrete. The blanket includes an insulative layer, at least one moisture-impervious layer, and a reflective layer. The moisture-impervious layer is attached to the insulative layer. The reflective layer (a) is attached on one side to one of the other layers and (b) is exposed on its other side to provide an external surface or layer to the blanket.

The exposed reflective layer of the present blanket enhances the performance of the blanket over prior blankets. First, the reflective layer more effectively reflects radiant heat toward the object (e.g. concrete) being insulated. Second, the reflective layer more effectively

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conducts heat laterally to provide more uniform distribution of heat.

III. Art Rejection

Original claims 1-26 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,549,956 to Handwerker. Applicant respectfully traverses this rejection as conceivably applied to the amended claims.

Handwerker is typical of the prior art blankets (described in the Background of the Invention) and problems that it is the express purpose of the present invention to overcome. Specifically, the Handwerker reflective layer is buried within the blanket construction so that the reflective layer is completely covered (i.e. unexposed). In each Handwerker embodiment, the moisture-impervious layers 12 and 14 comprise the outer surface layers. No layer other than a moisture-impervious layer comprises an outer surface.

Accordingly, Handwerker suffers from significant disadvantages. As emitted radiant energy radiates upwardly to the Handwerker blanket from the ground, it passes through at least one moisture-impervious layer before it is reflected back by the heat reflective layer. After being reflected back by the reflective layer, the energy must again pass through the moisture-impervious layer before reaching the ground, causing an energy loss as some of the energy is converted into heat and retained by the blanket. Further, the inherent heat retention of the Handwerker blanket impedes lateral heat distribution in applications where heating means are placed under the blanket. This can result in uneven temperatures across the concrete or ground.

It is well settled that anticipation can only be established by a single prior art reference that identically discloses each and every element of the claimed invention.

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Anticipation is not shown even if the differences between the claims and the prior art reference are insubstantial. Instead, the cited reference must show exactly what is claimed. In re Bond, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); Structural Rubber Prod. Co. v. Park Rubber Co., 749 F.2d 707, 223 U.S.P.Q. 1264 (Fed. Cir. 1984).

Applicant respectfully submits that Handwerker does not anticipate the subject matter of the amended claims. Specifically, Handwerker does not disclose an exposed reflective layer as required by all of the independent claims -- let alone the more specific subject matter recited in the various claims. Because Handwerker fails to disclose all of the elements of amended independent claims 1, 8, 15, and 22, it is respectfully submitted that the rejection under Section 102 is unfounded and/or overcome, and therefore should be withdrawn.

Applicant further submits that the amended claims are not obvious in view of Handwerker. There is no motivation -- other than an impermissible attempt to make a hindsight reconstruction of the present invention -- to modify Handwerker to produce the subject matter of the amended claims. As mentioned above, Handwerker fails to teach an external reflective layer. All of the embodiments in Handwerker teach that the reflective layer is enclosed by the moisture-impervious layers.

The dependent claims further define Applicant's invention and are therefore even more clearly allowable. Claims 2, 9, and 18 further recite that the reflective layer is a metal foil. Claims 3 and 10 further recite that the metal foil is aluminum. Claims 4-6, 12, 16-17, 23-24 and 26 further recite specifics of the insulative layer. Claims 7, 13-14, and 19 further define the insulative layer and/or the moisture-impervious layers as made of plastic. Claims 11 and 20

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further define the insulative layer and the moisture-impervious layers as degradable. Claim 21 further recites that one of the moisture-impervious layers is a dark color.

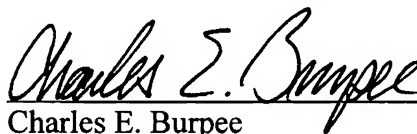
V. Conclusion

In view of the above amendments and these remarks, Applicant respectfully submits that the present application is in condition for allowance. A notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

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APPENDIX A

1. (Amended) An insulative blanket comprising:

- a first moisture-barrier layer;
- a second moisture-barrier layer;
- an insulative layer between said first moisture-barrier layer and said second moisture-barrier layer; and
- a reflective layer attached to at least one of said first and second moisture-barrier layers, said reflective layer being attached to said one of said moisture-barrier layers on the opposite side of said insulative layer.

8. (Amended) An insulative blanket comprising:

- an insulative layer having a base and a plurality of protrusions extended from said base;
- a moisture-impervious layer secured to said base, said moisture-impervious layer closing said protrusions, said closed protrusions forming insulative enclosures; and
- a reflective layer attached [~~secured~~] directly to said moisture-impervious layer opposite said insulative layer.

15. (Amended) An insulative blanket comprising:

- a first moisture-barrier layer having an inner surface and an outer surface;
- a second moisture-barrier layer having an inner surface and an outer surface;

an insulative layer having an upper surface and a lower surface, said insulative layer defining a plurality of protrusions, said inner surface of said first moisture-barrier layer being attached [~~secured~~] to said upper surface of said insulative layer, said inner surface of said second moisture-barrier layer being attached [~~secured~~] to said lower surface of said insulative layer closing said protrusions to define a plurality of insulative elements; and

a reflective layer attached [~~secured~~] to at least one of said outer surface of said first moisture-barrier layer and said outer surface of said second moisture-barrier layer.

19. (Amended) The insulative blanket of claim 15 wherein said insulative layer and said moisture-barrier [~~moisture-impervious~~] layers are plastic.

22. (Amended) An insulative blanket comprising:

an insulative layer and a moisture-impervious layer, said moisture-impervious layer being attached to said insulative layer; and

a reflective layer attached [~~secured~~] directly to either of said moisture-impervious layer and said insulative layer, said reflective layer forming an outer surface of said blanket.

24. (Amended) The insulative blanket of claim 23 wherein said reflective layer is attached [~~secured~~] to said base.

25. (Amended) The insulative blanket of claim 23 wherein said reflective layer is attached [~~secured~~] to said moisture-impervious layer.

26. (Amended) The insulative blanket of claim 22 comprising a second moisture-impervious layer attached [~~secured~~] to said base closing said protrusions, said closed protrusions forming insulative enclosures.